

United States Courts  
Southern District of Texas  
FILED

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

**Sealed**  
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to this instrument are  
prohibited by court order.

UNITED STATES OF AMERICA

VS.

ZECHARIAH AARON JOHNSTON,  
a/k/a "Oz" (1), and  
BOBBY DAN TEETS,  
a/k/a "Bull"(2),

Defendants.

CRIMINAL NO.

**H-10-644**

UNDER SEAL

COUNT I: 18 U.S.C. § 1959(a)(6): Violent Crimes in Aid of Racketeering Activity (Conspiracy to Assault Frederick Jones a/k/a “Tripp” Resulting in Serious Bodily Injury);

COUNT II: 18 U.S.C. § 1959(a)(3): Violent Crimes in Aid of Racketeering Activity (Assault of Ferderick Jones, a/k/a, “Tripp” Resulting in Serious Bodily Injury); and

COUNT III: 18 U.S.C. §§ 922(g)(1) and  
924(a)(2): Felon in Possession of a Firearm  
and § 2

# NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

**INDICTMENT**

THE UNITED STATES GRAND JURY CHARGES:

AT ALL TIMES RELEVANT TO THIS INDICTMENT:

## GENERAL ALLEGATIONS

## THE RACKETEERING ENTERPRISE, THE ARYAN BROTHERHOOD OF TEXAS

1. At all times relevant to this indictment, the defendants, **Zechariah Aaron Johnston, a/k/a “Oz,” Bobby Dan Teets, a/k/a, “Bull,”** and others were members/prospects/associates of the Aryan

Brotherhood of Texas (“ABT”), a criminal organization whose members/prospects/associates engaged in acts of violence and other criminal activities involving murder, attempted murder, assault, counterfeiting, and narcotics trafficking. At all relevant times, the ABT operated in the Southern District of Texas and elsewhere.

2. The ABT, including its leadership, membership, prospects and associates, constitutes an enterprise as defined in 18 U.S.C. § 1959(b)(2), that is, a group of individuals associated in fact, which is engaged in or the activities of which affect, interstate and foreign commerce. The enterprise constitutes an ongoing organization whose members/prospects/associates functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

3. The ABT is a race-based Texas state-wide organization operating inside and outside of state and federal prisons throughout the State of Texas and the United States. The ABT was established in the early 1980's within the Texas Department of Criminal Justice (TDCJ). The ABT modeled itself after and adopted many of the precepts and writings of the Aryan Brotherhood, a California-based prison gang that was formed in the California prison system during the 1960's. The ABT offers protection to “white” inmates if they join the criminal enterprise. Membership in the ABT is for life. They adhere to the motto that “God Forgives, Brothers Don’t” (GFBD). The ABT promotes “whites” as the superior race.

4. The ABT has a written charter and by-laws (“Constitution”). The Constitution lists the duties and responsibilities of the organization and membership and is considered the foundation of the organization.

5. In the past, the ABT was primarily concerned with the protection of white inmates and white supremacy/separatism. Over time the ABT has expanded its focus more towards a criminal

enterprise to include illegal activities for profit. In some cases, the ABT has made alliances with prison gangs of other ethnicities to aid in unlawful activities for profit. However, most members of the ABT live the philosophy of "14/88." "14" represents the "Fourteen Words" that form the basis of their belief, which are: "We must secure the existence of our people and a future for white children." The "8" represents the eighth letter of the alphabet (H), which when appearing twice – "88" or HH – signifies "Heil Hitler," a reference to Adolf Hitler.

6. Once released from incarceration, ABT members/prospects/associates continue to engage in criminal activity on behalf of the enterprise. Members are required to remain loyal to the ABT and to work to further the goals of the ABT through criminal activity. One of the goals of the ABT is to recruit new members. ABT members take a "blood in" oath. This means members have to draw blood on behalf of the ABT, which according to the Constitution results in a lifetime commitment. Members are required to sign a "Blind Faith Commitment," in which they agree to do anything directed or requested by their superiors without question. Failure to comply may result in severe beatings, known as beat-downs, or death. These violent acts are carried out primarily by other ABT members and sometimes by their prospects and associates.

7. The ABT enforces its rules and promotes discipline among its members/prospects/associates through murder, attempted murder, conspiracy to murder, assault, robbery and threats against those who violate the rules or pose a threat to the enterprise. The ABT also uses murder and the threat of murder to maintain a position of power inside and outside of prison. Maintaining power and avoiding loss of stature motivates the ABT to commit violent acts against individuals believed to be disrespectful toward the ABT. Those members/prospects/associates who do not follow the orders of the ABT are also subject to murder, as is anyone who uses violence against an ABT

member/prospect/associate. ABT members/prospects/associates who cooperate with law enforcement authorities are also subject to murder.

### **MEMBERSHIP**

8. ABT members are recruited from both inside and outside of prison. In order to be considered for ABT membership, a person must be sponsored by another ABT member. Once sponsored, a prospective member must serve an unspecified term, wherein he is referred to as a prospect, while his conduct is observed by the members of the ABT. During this period, the prospect studies and learns the ABT Constitution and the "prospect schooling guide." While a prospect, the individual is considered part of the ABT family and entitled to the full protection of the enterprise. The prospect is also subject to the rules and orders of the enterprise. If the prospect's conduct during the probationary period is deemed satisfactory he is admitted by a vote of the majority of all ABT members present.

9. ABT members often use the term "Church" when referring to gang meetings. The conducting of criminal activity by ABT members is often discussed at "Church." These meetings are generally held in locations where secrecy can be maintained.

10. In addition to members, the enterprise includes those closely affiliated with the ABT, who are called "associates." While females are not allowed to become members of the ABT, those who associate with the ABT and engage in criminal activity for the benefit of the ABT are often referred to as "featherwoods." Associates who do not fulfill their obligations to the ABT are sometimes subject to violence, including murder.

11. Members, and oftentimes associates, are required to follow the orders of higher-ranking members, often referred to as a "direct order" or "D.O." In particular, members are required,

when ordered, to kill or assault without hesitation. Members and associates who do not fulfill their obligations to the ABT are themselves subject to violent acts, to include murder or assault.

### **LEADERSHIP STRUCTURE**

12. In Texas there are two competing ABT factions. Each faction follows the leadership of their respective faction. Each faction has similar chain of command structures and has a defined militaristic ranking structure. ABT members refer to the gang as the "Family." The hierarchy of each faction is broken up into separate TDCJ regions. There are five TDCJ regions. Each region has the following chain of command: general, major, captain, lieutenant, sergeant-at-arms, and soldier. The ranking structure remains constant; however, there are frequent personnel changes (promotions, demotions, terminations) within the rank structure. Each faction of the ABT is governed by a five person "Steering Committee" (Wheel). Each Wheel member (who holds the rank of General) is responsible for one of five separate regions within the State of Texas. Each Wheel member is responsible for appointing his subordinate, ranking member (Majors) within his respective region. Each Wheel member also appoints an inside Major (in-custody member) and an outside Major (referred to as someone in the "free world") in his respective region. These Majors, in turn, are responsible for appointing their subordinate Captains and Lieutenants who, in turn, appoint their sergeants. Wheel members typically remain in place regardless of custody status unlike other ranking members who typically lose rank when their custody status changes.

### **PURPOSES OF THE ENTERPRISE**

13. The purpose of the enterprise include the following:
- a. Preserving and protecting power, territory, and profits through the use of intimidation, violence, threats of violence, assaults, robbery, and murder;

- b. Promoting and enhancing members'/prospects'/associates' activities;
- c. Keeping non-members and its members/prospects/associates in fear of the enterprise through threats of violence and actual violence.
- d. Enriching the members/prospects/associates of the ABT through robberies, counterfeiting, and drug trafficking.

**MEANS AND METHODS OF THE ENTERPRISE**

14. The means and methods by which the members/prospects/associates conduct and participate in the affairs of the ABT criminal enterprise include the following:

- a. ABT members/prospects/associates commit, and attempt and threaten to commit, acts of violence, including assault and murder, to protect and expand their criminal operations and to maintain their status.
- b. ABT members promote a climate of fear through violence and threats of violence.
- c. The ABT rules dictate that an attack against a member will be considered an attack on the enterprise as a whole. All ABT members are required to counter any such attack.
- d. ABT members promulgate rules as documented in their Constitution to be followed by all participants, including the rule that any ABT member assisting law enforcement authorities must be killed.
- e. To enforce the rules and promote discipline, ABT members murder, attempt to murder, assault, and threaten those participants in the enterprise who violate rules or orders, or who pose a threat to the enterprise.
- f. To generate income, ABT members engage in illegal activities under the protection of the enterprise, including narcotics trafficking, fraud, counterfeiting, trafficking in firearms, and other illegal activities.
- g. For protection and armed combat, ABT members acquire, carry and use firearms.
- h. To perpetuate the enterprise, ABT members attempt to conceal from law enforcement the existence of the ABT, the identity of its participants, and the way in which it conducts its affairs.
- i. To keep secret their activities, ABT members communicate using codes and hidden

messages, and use a network of hubs to relay messages among members/prospects/associates.

15. The above-described enterprise, through its members, prospects, and associates, engaged in racketeering activity as defined in 18 U.S.C. § 1959(b)(1) and 1961(1), namely acts involving aggravated assault, in violation of Texas Penal Code § 22.02, and narcotics trafficking in violation of 21 U.S.C. §§ 841(a)(1) and 846.

#### Overview

16. On or about September 22, 2008, ABT prospect Frederick Jones a/k/a “Tripp” was assaulted resulting in serious bodily injury in Harris County, Texas by **Zechariah Aaron Johnston, a/k/a “Oz,”** and others known and unknown to the grand jury, on the orders of **Bobby Dan Teets, a/k/a “Bull,”** because he violated certain ABT rules of conduct.

#### COUNT I

##### Conspiracy to Assault Frederick Jones

17. At all times relevant to this indictment, the ABT, as more fully described in Paragraphs one through sixteen of the General Allegations, which are re-alleged and incorporated by reference as though fully set forth herein, constituted an enterprise as defined in 18 U.S.C. § 1959(b)(2), that is, a group of individuals associated in fact, which is engaged in or the activities of which affect, interstate and foreign commerce.

18. On or about September 22, 2008, in Harris County, in the Southern District of Texas and elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in the ABT, an enterprise engaged in racketeering activity, the defendants, **Zechariah Aaron Johnston a/k/a “Oz,” Bobby Dan Teets, a/k/a “Bull,”** and others known and unknown to the grand jury,

did conspire to assault Frederick Jones, a/k/a "Tripp," resulting in serious bodily injury in violation of Texas Penal Code, Sections 22.02 and 15.02.

In violation of 18 U.S.C. §1959(a)(6).

## **COUNT II**

### **Assault of Frederick Jones**

19. At all times relevant to this indictment, the ABT, as more fully described in paragraphs one through sixteen of the General Allegations, which are re-alleged and incorporated by reference as though fully set forth herein, constituted an enterprise as defined in 18 U.S.C. § 1959(b)(2), that is, a group of individuals associated in fact which is engaged in or the activities of which affect, interstate and foreign commerce.

20. On or about September 22, 2008, in Harris County, in the Southern District of Texas, for the purpose of gaining entrance to and maintaining and increasing position in the ABT, an enterprise engaged in racketeering activity, the defendants, **Zechariah Aaron Johnston, a/k/a "Oz," Bobby Dan Teets, a/k/a "Bull,"** and others known and unknown to the grand jury, aiding each other, did assault Frederick Jones, a/k/a "Tripp," resulting in serious bodily injury in violation of Texas Penal Code, Sections 22.02 and 7.01.

All in violation of 18 U.S.C. §1959 (a)(3) and 18 U.S.C. §2.

## **COUNT III**

### **Felon in Possession of a Firearm**

21. On or about August 14, 2008, in the Southern District of Texas, defendant



**Bobby Dan Teets, “Bull”** having been convicted of a crime punishable by imprisonment for a term exceeding one year, was convicted of the following:

- February 24, 1999 conviction for Burglary of a Habitation, a felony, in the 411<sup>th</sup> Judicial District Court of Polk County, Texas, in cause number 14995;
- July 13, 1994 conviction for Burglary of a Building, a felony, in the 359<sup>th</sup> Judicial District Court of Montgomery County, Texas, in cause number 94-06-00754-B-CR;
- July 22, 1994 conviction for Burglary of a Building with Intent to Commit Theft, a felony, in the 182<sup>nd</sup> District Court of Harris County, Texas, in cause number 9409286;

**Bobby Dan Teets aka “Bull,”** did knowingly and unlawfully possess, in and affecting commerce, a firearm, to wit: a Dan Wesson .44 magnum revolver, bearing serial number SB004155.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

**NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE**

Pursuant to 18 U.S.C. §§ 924(d)(1), 3665 and 28 U.S.C. § 2461

22. As the result of committing the offense described in Count III, a violation of 18 U.S.C. § 922 (as specified in 18 U.S.C. § 922(d)(1)), as alleged in this indictment, defendants shall forfeit to the United States of America pursuant to 18 U.S.C. §§ 924(d)(1), 3665 and 28 U.S.C. § 2461, all firearms and ammunition subject to forfeiture based on the aforementioned statutes, including but not limited to the following:

**Firearms and Ammunition**

A. Dan Wesson .44 magnum revolver, bearing serial number SB004155.

By virtue of the commission of the offenses alleged in this indictment, any and all interest

the Defendants have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 18 U.S.C. §§ 24(d)(1), 3665 and 28 U.S.C. § 2461.

A TRUE BILL

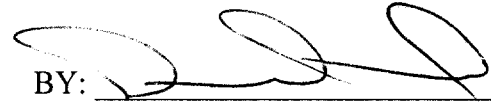
ORIGINAL SIGNATURE ON FILE  
GRAND JURY FOREPERSON

JOSE MORENO  
UNITED STATES ATTORNEY

BY:

  
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Assistant United States Attorney

BY:

  
David N. Karpel  
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